

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

EDWARD PALMORE,

Petitioner

VS.

PATRICIA A. HICKS, WARDEN,

Respondent

NO. 5:05-CV-414 (CAR)

**PROCEEDINGS UNDER 28 U.S.C. §2254
BEFORE THE U.S. MAGISTRATE JUDGE**

ORDER

Before the court is petitioner's MOTION TO AMEND. Tab #11. Petitioner has filed the above-captioned case pursuant to 28 U.S.C. §2254. However, a review of said amendment reveals that the claims presented are not appropriate for consideration in a habeas corpus petition as petitioner alleges violations of his constitutional rights and does not attack his sentence. Therefore, if petitioner wishes to pursue said claims he must file a NEW lawsuit pursuant to 42 U.S.C. §1983.

Accordingly, petitioner's MOTION TO AMEND is **DENIED**.

SO ORDERED AND DIRECTED, this 29th day of DECEMBER, 2005.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." The signature is stylized with a large, flowing 'C' and 'H'.

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE